

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

|                                 |   |                                   |
|---------------------------------|---|-----------------------------------|
| <b>UNITED STATES OF AMERICA</b> | § |                                   |
|                                 | § |                                   |
|                                 | § |                                   |
| <b>V.</b>                       | § | <b>CRIMINAL NO. 1:13-cr-305-1</b> |
|                                 | § |                                   |
| <b>EUGENIO PEDRAZA</b>          | § |                                   |

**UNOPPOSED MOTION FOR CONTINUANCE SENTENCING HEARING**

**TO THE HONORABLE JUDGE ANDREW S. HANEN:**

**COMES NOW**, Defendant Eugenio Pedraza, by and through his attorney of record, Larry D. Eastepp, and respectfully moves this Honorable Court to enter an order continuing the date of the sentencing hearing in this cause and in support thereof would show as follows:

**I.**

The Defendant's case is currently set for sentencing on October 20, 2014. The undersigned has a competing setting for that same day in the Beaumont Division of the Eastern District of Texas in *United States v. Jones, et al.*, 1:14-cr-61, Hon. Thad Heartfield presiding. It is a multi-defendant fraud indictment and the undersigned is appointed to represent Edmond Hurts, III in the case. This setting pre-dated the reset of the case-at-bar to October 20<sup>th</sup>. All counsel received electronic notice on October

7, 2014 reaffirming the setting of 9 a.m. on October 20<sup>th</sup> for the final pretrial conference with jury selection the next day. At this time, it is not known if this setting will be continued or if Judge Heartfield will require all counsel to appear at the pretrial conference to discuss that issue, along with other case issues. Counsel is in discussions with the assigned SAUSA but is not sure that all issues will be resolved prior to October 20<sup>th</sup>.

The undersigned is a sole practitioner and is the only counsel for both Defendant Pedraza in the case-at-bar and Defendant Hurts in the Eastern District case.

## **II.**

Counsel conferred with Department of Justice Trial Attorneys Brian Kidd and JP Cooney and the Government is unopposed to this motion.

## **III.**

For the foregoing reasons, the Defendants request that this Honorable Court grant this motion and reset the date of the sentencing hearing in this cause .Counsel makes this request so that Defendant Pedraza's due process rights in regard to sentencing and Defendant Edmond Hurts in the Eastern District's trial rights are fully observed.

Respectfully submitted,  
/s/ Larry D. Eastepp  
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5300 Memorial, Suite 1000  
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**CERTIFICATE OF CONFERENCE**

Counsel has conferred with United States Department of Justice Attorneys Brian Kidd and JP Cooney and the government is unopposed to this motion.

                    /s/                      
LARRY D. EASTEPP

**CERTIFICATE OF SERVICE**

I, Larry D. Eastepp, hereby certify that a true and correct copy of the foregoing instrument will be forwarded to the Department of Justice Attorneys through the ECF filing system on October 9, 2014.

                    /s/                      
LARRY D. EASTEPP

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

**UNITED STATES OF AMERICA**

**V.**

**EUGENIO PEDRAZA**

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§

**CRIMINAL NO. 1:13cr-305-1**

**ORDER**

The above-named Defendant filed a motion for continuance of the sentencing hearing. The Court finds that the ends of justice are served by granting this continuance, so therefore the motion is GRANTED. The docket control order is amended as follows:

Sentencing is reset to: \_\_\_\_\_, 201\_\_.

SIGNED at Brownsville, Texas, on \_\_\_\_\_, 2014.

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ANDREW S. HANEN  
UNITED STATES DISTRICT JUDGE